

Appln. Serial No. 10/665,431
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Docket No.: 8932-807-999
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REMARKS

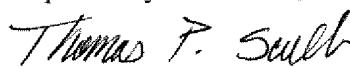
In the non-final Office Action dated December 5, 2006, the Examiner rejected pending claims 2-10, 12-21, 23-32, 34-43 and 46-54 under the judicially-created doctrine of obviousness-type double patenting as unpatentable over one or more claims of U.S. Patent No. 7,128,744 in combination with U.S. Patent No. 6,306,136 to Baccelli. (12/05/06 Office Action at 2.) In response, Applicant submits herewith, under separate cover, a Terminal Disclaimer under 37 CFR 1.321(c). Applicant's response is made only to expedite prosecution of the present application and does not constitute acquiescence in the Examiner's rejection. Applicant submits that the timely-filed Terminal Disclaimer obviates the present rejections and respectfully requests allowance of pending claims 2-10, 12-21, 23-32, 34-43 and 46-54 as presented in applicants' November 7, 2006 Response to Final Office Action Under 37 C.F.R. § 1.116. Claims 8, 9, 19, 20, 30, 31, 41, 42, 44, 51 and 52 are independent.

Should the Examiner have any questions or concerns regarding the remarks or the above-identified application, the Examiner is invited to call the undersigned attorney at (212) 326-3491 if a telephone call could help resolve any remaining issues.

No fee is believed due for this submission. However, should any fee be required, please charge all such fees to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: March 5, 2007



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